

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

LASHAWN SHARPE, *individually and on
behalf of all others similarly situated,*

Plaintiff,

- against -

A & W CONCENTRATE COMPANY *and*
KEURIG DR PEPPER INC.,

Defendants.

No. 1:19-cv-00768-BMC

**MOTION FOR SUMMARY JUDGMENT
AGAINST DEFENDANTS**

Plaintiffs Lashawn Sharpe (“Plaintiff”) respectfully move this Court for an Order entering summary judgment against Defendants on the issue of liability for violation of the rules established by the Food and Drug Administration on the labeling of vanilla in a food product.

In support of this Motion, Plaintiff relies on the attached Memorandum of Law; the Declaration of Michael R. Reese, and accompanying exhibits thereto, including the Expert Report of Dr. Daphna Havkin-Frenkel and the laboratory analysis of Alliance Technologies; and, Plaintiff’s Rule 56.1 Statement of Undisputed Material Facts.

Respectfully submitted on this 23rd day of December, 2019.

REESE LLP

By: /s/ Michael R. Reese
Michael R. Reese
100 West 93rd Street, 16th Floor
New York, New York 10025
Telephone: (212) 643-0500
Facsimile: (212) 253-4272
mreese@reesellp.com

SHEEHAN & ASSOCIATES, P.C.

Spencer Sheehan
505 Northern Blvd., Suite 311
Great Neck, New York 11021
Telephone: (516) 303-0552
Facsimile: (516) 234-7800
spencer@spencersheehan.com

Counsel for Plaintiff and the Proposed Class